



Entered on Docket  
January 15, 2010

A handwritten signature in cursive script, reading "Bruce A. Markell".

Hon. Bruce A. Markell  
United States Bankruptcy Judge

**WILDE & ASSOCIATES**

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Wells Fargo Bank, N.A.  
09-77846

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA**

In Re:

Federico Delagarza, Jr. and Brigitte Jean Delagarza

Debtors

BK-09-30016-bam

Date: 12/22/2009  
Time: 1:30 pm

Chapter 13

**ORDER VACATING AUTOMATIC STAY**

1  
2 IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the Automatic Stay in the  
3 above-entitled bankruptcy proceedings is immediately vacated and extinguished for all purposes as to  
4 Secured Creditor Wells Fargo Bank, N.A., its assignees and/or successors in interest, of the subject  
5 property, generally described as 5212 El Prado Heights, North Las Vegas, AZ 89081, and legally  
6 described as follows:

7 **Parcel I:**

8 Lot 81 of FINAL MAP OF CORTEZ HEIGHTS, as shown by map thereof on file in Book 113  
9 of Plats, Page 81, in the Office of the County Recorder of Clark County, Nevada and amended  
10 by Certificate of Amendment recorded March 30, 2004 in Book 20040330 of Official Records,  
Clark County Nevada, as Document No. 02339.

11 **Parcel II:**

12 A non-exclusive right and easement of in ingress and egress and of use and enjoyment in, to and  
over the Common Elements.

13 IT IS FURTHER ORDERED, ADJUDGED and DECREED that the Secured Creditor shall give  
14 Debtors at least five business days' notice of the time, place and date of sale.

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1 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Secured Creditor hereby  
2 withdraws its secured Proof of Claim filed in this matter. The Secured Creditor shall notify the Trustee of  
3 the completion of the foreclosure sale. If applicable, Secured Creditor may thereafter amend its secured  
4 Proof of Claim to an unsecured Proof of Claim no later than forty-five (45) days after the foreclosure sale.

5 DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

6 Submitted by:

7 **WILDE & ASSOCIATES**

8 By: /s/Gregory L. Wilde, Esq

9 **Gregory L. Wilde, Esq.**  
10 Attorney for Secured Creditor  
11 208 South Jones Boulevard  
12 Las Vegas, Nevada 89107

13 APPROVED / DISAPPROVED

14 By: \_\_\_\_\_

15 **David Krieger**  
16 1020 Garces Ave.  
17 Las Vegas, NV 89101  
18 Attorney for Debtor(s)

19 Nevada Bar No: \_\_\_\_\_

20 APPROVED / DISAPPROVED

21 By: \_\_\_\_\_

22 **Kathleen A Leavitt**  
23 201 Las Vegas Blvd., So. #200  
24 Las Vegas, NV 89101  
25 Chapter 13 Trustee  
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1 In accordance with Local Rule 9021, the undersigned counsel certifies as follows (check one):

2 ☐ The court waived the requirements of LR 9021.

3 ☐ No parties appeared or filed written objections, and there is no trustee appointed in the case.

4 ☐ No parties appeared or filed written objections, and the trustee is the movant.

5 ☒ This is a chapter 7 or 13 case, and either with the motion, or at the hearing, I have delivered a  
6 copy of this proposed order to all counsel who appeared at the hearing, and any trustee  
7 appointed in this case, any unrepresented parties who appeared at the hearing, and each has  
8 approved or disapproved the order, or failed to respond, as indicated below:

9 Debtor's counsel:

10 ☐ approved the form of this order ☐ disapproved the form of this order

11 ☐ waived the right to review the order and/or ☒ failed to respond to the document

12 ☐ appeared at the hearing, waived the right to review the order

13 ☐ matter unopposed, did not appear at the hearing, waived the right to review the order

14 Trustee:

15 ☐ approved the form of this order ☐ disapproved the form of this order

16 ☐ waived the right to review the order and/or ☒ failed to respond to the document

17 ☐ This is a chapter 9, 11, or 15 case, and I have delivered a copy of this proposed order to all  
18 counsel who appeared at the hearing, and any trustee appointed in this case any unrepresented  
19 parties who appeared at the hearing, and each has approved or disapproved the order, or failed to  
20 respond, as indicated below.

21 Debtor's counsel:

22 ☐ approved the form of this order ☐ disapproved the form of this order

23 ☐ waived the right to review the order and/or ☐ failed to respond to the document

24 ☐ appeared at the hearing, waived the right to review the order

25 ☐ matter unopposed, did not appear at the hearing, waived the right to review the order

26 Trustee:

☐ approved the form of this order ☐ disapproved the form of this order

☐ waived the right to review the order and/or ☐ failed to respond to the document

☐ I certify that I have served a copy of this order with the motion, and no parties appeared or filed  
written objection.

Submitted by:

/s/ Gregory L. Wilde, Esq.

Gregory L. Wilde, Esq.

Attorney for Secured Creditor